

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY - CONSTRUCTION
TO CONSTRUCT ANTENNA TOWERS FOR CELLULAR TELECOMMUNICATIONS SERVICES
OR PERSONAL COMMUNICATIONS SERVICES IN JURISDICTIONS
WITHOUT A PLANNING COMMISSION**

Filing Requirements Checklist

(Applicable Authority: KRS 278.040(3), 278.020(1), 278.650, 278.665 and 807 KAR 5:063)

Case No. _____ Applicant Name _____ Received Date _____ Form Circulation Date _____

Instructions:

- 1) Each division noted by checkmark () is to complete its review and pass on within two days of receipt.
- 2) This form is to list only the specific filing deficiencies as identified in the regulations. If additional information is needed, an information request must be issued.
- 3) Staff member should use initials and list date review is completed.
- 4) Return to Docket Section following review by all divisions.

Reviewed by following Divisions:

Date

Staff Member

	Filings			
	Engineering			
	Legal			

Division
Responsible

Law/Regulation

Filing Requirement

Requirement
Met

Waiver
Requested

Approve
Waiver?

Yes	No		Yes	No

807 KAR 5:063:

Filings	Section 1(1)(a)	Full name and post office address of applicant and a reference to the particular provision of law requiring Commission approval.
Filings		The original and 5 copies of the application with an additional copy for any party named therein as an interested party.
Legal		If applicant is a corporation, a certified copy of the Articles of Incorporation and all amendments thereto <u>or</u> if the articles were filed with the PSC in a prior proceeding, a reference to

<u>Division Responsible</u>	<u>Law/Regulation</u>	<u>Filing Requirement</u>	<u>Requirement Met</u>		<u>Waiver Requested</u>	<u>Approve Waiver?</u>	
			Yes	No		Yes	No
		the style and case number of the prior proceeding.					
Engineering		The facts relied upon to show that the proposed new construction is or will be required by public convenience or necessity.					
Engineering		Copies of franchises or permits, if any, from the proper public authority for the proposed new construction or extension, if not previously filed with the commission.					
Engineering		A full description of the proposed location, route, or routes of the new construction or extension, including a description of the manner in which same will be constructed, and also the names of all public utilities, corporations, or persons with whom the proposed new construction or extension is likely to compete.					
Engineering		Three (3) maps to suitable scale (preferably not more than two (2) miles per inch) showing the location or route of the proposed new construction or extension, as well as the location to scale of any like facilities owned by others located anywhere within the map area with adequate identification as to the ownership of such other facilities. All other information necessary to afford the commission a complete understanding of the situation.					
	807 KAR 5:063 Section 1(1)						
Engineering		(b) A copy of the utility's applications to the Federal Aviation administration and Kentucky Airport Zoning Commission					
Engineering		(c) A copy of the utility's application to, and authorization from, the Federal Communications Commission, if applicable;					
Engineering		(d) A geotechnical investigation report, signed and sealed by a professional engineer registered in Kentucky, that includes boring logs, foundation design recommendations, and a finding as to the proximity of the proposed site to flood hazard areas (findings re: flood hazard area proximity may be prepared by a land surveyor);					

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			Yes	No		Yes	No
Engineering		(e) Clear directions from the county seat to the proposed site, including highway numbers or street names, and the telephone number of the preparer of the directions;					
Engineering		(f) The lease or sale agreement for the property on which the tower is proposed to be located (may be in abbreviated form if so filed with the county clerk);					
Engineering		(g) The identity and qualifications of each person directly responsible for the design and construction of the proposed tower;					
Engineering		(h) A site development plan or survey, signed and sealed by a professional engineer registered in Kentucky, that shows the proposed location of the tower and all easements and existing structures within 500 feet of the site on the property on which the tower will be located and all easements and existing structures within 200 feet of the access drive, including the intersection with the public street system;					
Engineering		(i) A vertical profile sketch of the tower, signed and sealed by a professional engineer registered in Kentucky, indicating the height of the tower and the placement of all antennas;					
Engineering		(j) The tower and foundation design plans and a description of the standard according to which the tower was designed, signed and sealed by a professional engineer registered in Kentucky;					
Engineering		(k) A map, drawn to a scale no less than 1 inch equals 200 feet, that identifies every structure and every owner of real estate within 500 feet of the proposed tower					
Legal		(l) A statement that every person who, according to property valuation administrator's records, owns property within 500 feet of the proposed tower has been:					
		1. Notified by certified mail, return receipt requested, of the proposed construction;					

Division Responsible	Law/Regulation	Filing Requirement	Requirement Met		Waiver Requested	Approve Waiver?	
			Yes	No		Yes	No
Legal		2. Given the Commission docket number under which the application will be processed; and					
		3. Informed of his right to request intervention					
		(m) A list of the property owners who received the notice, together with copies of the certified letters sent to listed property owners;					
Legal		(n)A statement that the local county judge, executive, has been:					
Legal		1. Notified by certified mail, return receipt requested, of the proposed construction;					
		2. Given the Commission docket number under which the application will be processed; and					
		3. Informed of his right to request intervention					
		(o) A copy of the notice sent to the county judge executive					
		(p) A statement that two written notices, at least 2' x 4',one in a visible location on the proposed site and one on the nearest public road have been, and shall remain, posted for at least two weeks after the application has been filed.					
Legal	807 KAR 5:063 Section 1(2)(a)	2. The notice on the site must state: "(Name of utility) proposes to construct a telecommunications ('tower' or 'monopole') on this site. If you have questions, please contact (name and address of utility) or the Executive Director, Public Service Commission, 211 Sower Boulevard, P. O. Box 615, Frankfort, Kentucky 40602. Please refer to (assigned docket number) in your correspondence."					
Legal		2.(b) The notice posted on the nearest public road must state: "(Name of utility) proposes to construct a telecommunications ('tower' or 'monopole') on this site. If you have questions, please contact (name and address of utility) or the Executive					

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			Yes	No		Yes	No
		Director, Public Service Commission, 211 Sower Boulevard, P. O. Box 615, Frankfort, Kentucky 40602. Please refer to (assigned docket number) in your correspondence.”					
Legal		2.(c)) In both posted notices, the word “tower” or “monopole” shall be printed in letters at least four (4) inches high.					
Legal	Section 1(1)	(q) A statement that notice of the location of the proposed construction has been published in a newspaper of general circulation in the county in which the construction is proposed.					
Legal		(r)) A brief description of the character of the general area in which the tower is proposed to be constructed, which includes the existing land use for the specific property involved; and					
Engineering		(s) A statement that the utility has considered the likely effects of the installation on nearby land uses and values and has concluded that there is no more suitable location reasonably available from which adequate service to the area can be provided, and					
		that there is no reasonably available opportunity to co-locate, including documentation of attempts to co-locate, if any, with supporting radio frequency analysis, where applicable, and a statement indicating that the utility attempted to co-locate on towers designed to host multiple wireless service providers’ facilities or existing structures, such as a telecommunications tower, or another suitable structure capable of supporting The utility’s facilities.					
Engineering		(t) A map of the area in which the tower is proposed to be located, that is drawn to scale and that clearly depicts the search area in which a site should, pursuant to radio frequency requirements, be located					